

SEP 27 2005

I hereby certify that I have reasonable basis to expect that this correspondence is being transmitted by facsimile addressed to: Mail Stop Amendments  
Commissioner for Patents, PO Box 1450,  
Alexandria VA 22313-1450 via fax number  
571-273-8300 on

September 27, 2005  
Stephanie Harbin  
Stephanie Harbin

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No. 09/845,120  
(Attorney Docket No. GP-300996)

Filed April 30, 2001

Gregory P. Matthews  
Charles H. Folkerts

Group 3747

METHOD AND APPARATUS FOR OBTAINING  
A CONSISTENT PEDAL POSITION FOR A VEHICLE HAVING AN ENGINE  
WITH DISPLACEMENT ON DEMAND Examiner: Carl Stuart Miller

**RESPONSE**

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

REMARKS/ARGUMENTS

This amendment is in response to the Office Action mailed on June 16, 2005, wherein Claims 1-14 were rejected.

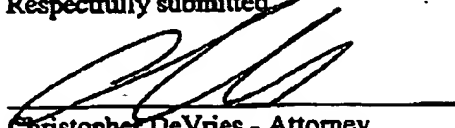
Claim Rejections Under 35 U.S.C § 102 and 103

In the Final Office Action, Claims 1-14 were rejected under 35 U.S.C § 103 as being unpatentable over Taguchi in view of Foley, Yamanaka, and Kolmanovsky (in different combinations). Applicants have previously filed a Rule 1.131 affidavit eliminating the obviousness rejection based on the Kolmanovsky reference. Applicants respectfully point out

Serial No. 09/845,120  
Page 3

If for some reason a fee needs to be paid, as well as one-month extension fee please charge  
Deposit Account No. 07-0960 for the fees, which may be due.

Respectfully submitted



Christopher DeVries - Attorney  
Reg. No. 44,654  
Telephone: 313-665-4969

CD: sh